



Nova Scotia
Advisory Council
on the Status of
Women

Conseil consultatif
sur la condition
féminine en
Nouvelle-Écosse

An agency of the
Province of Nova Scotia



**BRIEF ON CRIME : CONVENTION TO
THE FEDERAL STANDING COMMITTEE ON
JUSTICE AND THE SOLICITOR GENERAL**

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**Nova Scotia Advisory Council on the Status of Women
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PREFACE

The Nova Scotia Advisory Council on the Status of Women was established in 1977 to monitor women's issues and to act as an advisory body to the provincial government. Specifically, the Council is legislated to:

- ▼ advise the Minister upon such matters relating to the status of women as are referred to the Council for consideration by the Minister responsible for the Administration of the Status of Women Act;
- ▼ bring to the attention of the Minister matters of interest and concern to women.

In carrying out its duties, the Council may:

- ▼ receive and hear petitions and suggestions concerning the status of women;
- ▼ undertake and recommend research on matters relevant to the status of women;
- ▼ recommend and participate in programs concerning the status of women;
- ▼ propose legislation, policies and practices to promote equality of opportunity and status;
- ▼ publish reports, studies and recommendations.

The Nova Scotia Advisory Council on the Status of Women welcomes the opportunity to make a brief submission to the Standing Committee on Justice on the subject of crime prevention. The Committee may see crime prevention as an issue solely of the public realm, an issue mainly to do with protecting property. As you may well expect, the Advisory Council's main thrust in regard to this subject is to improve the lives of women, by working toward our need for safe communities in which to live, safe streets in which to walk, and nonviolent Canadian men with whom to share our lives. This, too, is crime prevention, and the Advisory Council believes that the creation of safe communities and nonviolent citizens is essential to crime prevention for at least 52 percent of the Canadian population.

A genuine commitment to preventing violence against women requires more than just words. As the federal government recognized in *Living Without Fear*, "The power imbalance in society which undervalues women and allows them to be discriminated against is the same power imbalance that fosters tolerance of violence and minimizes the gravity of its impact on the lives of women." Thus, eliminating violence against women will require fundamental change in our social structure, so that it no longer supports and maintains male dominance.

Short of accomplishing this immense task, however, there are positive steps that can be taken to enhance women's safety by preventing crimes against them.

1. *The federal government should mount a national, multi-media public education campaign, condemning violence against women and emphasizing societal responsibility for its occurrence and its prevention.*

Such a campaign could begin the long process of changing our society's norms, norms that still imply that women belong to men, and can therefore be used as men see fit. While the potential for good from a public education

campaign is considerable, the government must recognize that its impact is likely to include increased use of services for battered women. After all, a heightened awareness of what constitutes violence is likely to occur in both the populations committing violence and in the populations being battered. The agencies which serve battered women are already stretched to the limit. If the education campaign is to have its intended effect, monies must also be available to assist service providers to meet the needs generated.

2. *The federal government should consider making section 423 of the Canadian Criminal Code, that is, the section on intimidation, an indictable, rather than a summary conviction, offence.*

The Council believes that one of the best ways to make Canada a safer place for women is to begin to treat more seriously an offence to which women are especially vulnerable. That offence is intimidation. Threats against women are especially powerful, because women themselves are relatively powerless. When a man tells a woman that she had better submit to his violent sexual assault, "or I'll kill you," that woman has every right to believe that he means what he says. When a man tells a woman that she had better not report his wrongdoings to the police, "or I'll take the kids and you'll never see them again," she has to believe that he has the power to do so. After all, women are murdered and children seized with frightening regularity throughout the country.

When a charge of intimidation is laid and prosecuted, it is perceived to be a minor charge, a matter usually deserving of a slap on the wrist. Sometimes, a peace bond is issued in response to serious threats. In Bridgewater in 1989, a man was granted a conditional release on charges of threatening to shoot his former partner and her children. One week later, he did exactly what the conditions of his release forbade him doing. He stalked her to the school bus she was preparing to drive on her daily round. But this time, instead of threatening his former partner, he shot and killed her.

The Advisory Council is deeply concerned that threats and acts of intimidation are not treated as serious offences, offences which cripple the day-to-day living of women and children.

3. *The federal government should make available to municipalities monies to implement recommendations of safety audits.*

Enhanced safety in the public realm for Canadian women will require the provision of some public monies to implement the very practical, and often quite inexpensive, suggestions brought forth by safety audits. In Halifax, for example, such audits are being undertaken on a volunteer basis. Residents are organizing themselves to document in a very particular way the locations in their neighbourhood which are unsafe. There seems to be a risk, however, that such audits will gather dust on municipal government shelves, unless there is assistance forthcoming to take action on the suggestions.

4. *The federal government should develop a policy allowing judges to order men charged with assaulting their female partners to be removed from the family home.*

Why must women always be forced to seek refuge from violent men by leaving their homes? Uprooting women and children does not send the message that male violence will not be tolerated. Rather, it sends the message that what men do in their own homes is alright, and that if women don't like it, they can leave. Keeping violent, criminally-intentioned men away from their spouses and children may be a more difficult challenge. Perhaps release from custody while awaiting trial for such charges should be dependent on more than just a promise to stay away from the former family home. The surety given in return for judicial interim release would have to be forfeited by those who ignore the conditions of their release.

5. *The federal government should support primary research into the effectiveness of treatment programs for men who violate women, identifying client, program and external factors which affect treatment outcomes; and*

the federal government's funding for the establishment of treatment programs for violent men should be dependent upon evidence of their effectiveness.

The Council firmly believes that treatment programs for men who violate women are desperately needed. It is not until violent men get treatment that the women who live with them and near them can be safe. We are, however, deeply concerned that the funding for such treatment programs be administered with a very careful eye on the effectiveness of the programs being funded. We are used to hearing that there is a limited supply of national funds available to address such questions, and the thought of funds being diverted from women's shelters to treatment programs which may be of limited, and untested, effectiveness, is unacceptable to women.

The Council believes that the prevention of crimes against women is deserving of the special attention of the Standing Committee, and we urge the Committee to address the concerns and suggestions offered here. As we approach once again the anniversary of December 6, 1989, and remember the horrific events in Montreal on that day, we have to ask ourselves if anything has changed since 1989 to make Canada a safer country. When we count in Nova Scotia nine women murdered by men this year, and know that three of them held peace bonds against their assailants, we must conclude that we have a long way yet to go to make Canada a safe place for Canadian women.